

Lester Edelman, Chief Counsel for the U.S. Army Corps of Engineers, is the kind of man that makes one chagrined at ever telling a lawyer joke — not that he wouldn't throw his head back and give a hardy laugh if it was clever enough. He might even squeeze the paw of the Brown Nose Bear, a gift from his son, that sits on his desk and get it to proclaim “You're great! Good idea!” It's just that Edelman doesn't fit the typical lawyer mold. In a time when lawyers and government employees are often viewed as part of the problem and the punch line of endless jokes, Edelman has spent his entire career being part of the solution — developing and practicing “preventive law.”

The son of Russian immigrants, Edelman knew he wanted a career in public service. His parents encouraged public service as a means of repaying their adopted country for the opportunities their new citizenship afforded them. After Boston College, Boston University School of Law and a masters degree at Columbia University School of Law, Edelman briefly practiced law in the private sector. He went to work as an attorney for the Army Corps of Engineers' Detroit District in 1958.

“It was a matter of family pride,” he said of his decision to go into public service. “It was a way to repay a debt to our country for all we had been given.” He quickly points out, however, that it is “the work and its rewards that keep me in public service.” Pride in public service is a major foundation of Edelman's philosophy. “We become public servants when we chose to direct our skills and talents toward serving our country. I'm proud to be in public service.”

“It was exciting when I went to work for the Corps of Engineers in Detroit. We were creating jobs, helping out in a recession.” In Detroit, one of his trademarks appeared — commitment. Beside the young lawyer was a bookcase of three-ring green binders that held all of the then unpublished decisions of the Contract Appeals Boards. But no one could tell him exactly what was in them because they weren't indexed. Edelman began taking a book home each night, reading them, and making notes on index cards so that he could more easily identify and locate the cases. This made instant retrieval of cases possible before such services were published commercially. A few months later, the Chief Attorney for the district was discussing a case, but couldn't recall the specifics, and the young lawyer chimed in and said he knew the case and could even locate it in the green binders.

“No one gives you freedom unless you have done something to deserve it,” Edelman said. One of his first management principles was born. “Find your niche,” he tells his attorneys today. “Look for what you can do for your clients.”

After seven years with the Corps, including assignments in the Detroit and Chica

go Districts, the North Central Division in Chicago, and the Corps of Engineers Ballistic Missile Construction Office in Torrance, Calif., he became the Assistant Chief Counsel for Civil Works and Legislation at the Corps Headquarters in Washington, D.C.

His reputation for sound legal and policy advice spread in Washington. In 1968, at the request of Chairman George Fallon, Edelman became counsel to the U.S. House of Representatives committee with jurisdiction over the Corps' water resources program — the Committee on Public Works and Transportation. In addition to continuing to shape the Corps mission and programs, he played a key role in the development of what can only be described as "crucial legislation": Federal Aid Highway Acts, Urban Mass Transportation Acts, The Uniform Relocation Act, Economic Development Acts, the Airline Deregulation Act, and the Clean Water Acts of 1972 and 1977.

"Although I have great pride in most of the committees' initiatives, I particularly remember the last two as landmarks in environmental legislation. It literally changed the way this country regarded the environment and what we were prepared to do for it," he said. After eleven years on Capitol Hill, Edelman returned to the Corps in 1979 as Chief Counsel at the invitation of then Chief of Engineers Lt. Gen. John W. Morris.

When Edelman returned to the Corps, it was a difficult time for the construction industry and the government. Litigation jammed progress. Sometimes decisions took 10 to 15 years to resolve because of the overloaded dockets in the courts and board of appeals.

An Edelman hallmark took over — impatience. "Everything was at a standstill. We in the Corps of Engineers, as well as the construction industry, were caught up in the litigious culture prevalent in this country. We had to find another way to resolve the problem," he said. "We looked around and found an alternative dispute resolution method that had been tried only once before in the government — the mini trial. We experimented with the process in a small case and then decided to give it a try with a very significant high visibility case where the Corps had a potential liability of \$55.6 million. We resolved the dispute for \$17.25 million, using the new technique. We knew we had something — we had found a new tool to help change the litigious mind set." Edelman's enthusiasm fostered the next step. "We began identifying, training and applying alternative dispute methods in the Corps and in the construction industry. Then some of our smart construction people came to us and said 'if we change the concept of resolving disputes, why can't we build that change of culture in at the beginning to avoid disputes.' The concept of partnering in the Army Corps of Engineers was born." Edelman's "preventive law" became a cultural change.

The Corps' multi-billion dollar mission provides for construction needs of the Army and Air Force and for water resources development infrastructure to provide flood control, navigation, and hydropower benefits to the nation. Billions of dollars in construction are contracted for each year.

Partnering and Alternate Dispute Resolution continue to revolutionize the way the Corps does business — getting projects built faster and with fewer disputes — contract claims have been reduced over 70 percent in ten years and appeals have dramatically declined.

Edelman's innovations have not gone unrewarded. Awards that line his walls and bookcases include Presidential Awards, the National Performance Review's Hammer Award, Army Medals, and a plaque with the words of a former Chief of Engineers, "If I were king, I would knight Les Edelman for developing ADR."

While those prestigious rewards are important, he takes special pride in three other awards: a mentoring award from a group of Corps employees, the Hard Hat Award, from his Corps of Engineers construction colleagues, and another from the *Engineering News-Record* — from "my clients and colleagues," he said proudly. His secret: "I believe more can be solved over a cup of coffee while a problem is in the formative stage than preparing for litigation when it's too late."

He has also developed a following in the attorneys he has mentored through the years. "Find something that needs to be done, which isn't being done. That's how you become important to the organization — finding clients that need help and giving them the help they need." He has struck a responsive chord with many.

As one attorney said, "He's not the man of the hour. He is the man of the next hour. Knowing where to go has been his signature during 38 years of federal service. I look to him to point out where we go next."

Edelman admitted that he is focused on results. He likes having his "hands on" and says he has had to learn to channel his energy so that other people can have their turn. He's proud of his accomplishments — the legislation, the ADR and partnering programs — and talks about them freely, not from a lack of humility, but from an abundance of pride in his service to the nation. He advocates pride in public service at every opportunity. He encourages every federal employee to communicate their accomplishments and defend their profession so that the nation can know and appreciate what public servants do day in and day out.

Joan Edelman has supported and complemented her husbands' service to the Corps and the nation. They are both active in the community and their synagogue. They have exemplified the public service values for their two children, Mrs. Ellen Weber and Benjamin, and their two grandchildren, Rebecca and Rachel. "I could go on about my grandchildren until next week," he said smiling and adjusting their picture on his desk.

But he is impatient. He's waiting, it appears, for the next challenge and for the next contribution he can make so that lawyer jokes becomes a thing of the past.

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